

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: PANDIAN et al.  
Title: METHODS AND KITS FOR  
DETECTING ITA IN A  
BIOLOGICAL SAMPLE  
Appl. No.: 10/716,739  
Filing Date: November 18, 2003  
Examiner: Gary W. Counts  
Art Unit: 1641  
Confirmation Number: 6774

**COMMUNICATION REGARDING PATENT TERM ADJUSTMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with Applicants duty of candor and good faith of the U.S. Patent and Trademark Office, Applicants note that the 158 days of patent term adjustment (PTA) as indicated on the Notice of Allowance mailed on 10/01/08 for the above-captioned application disagree with the Applicants' own calculation of PTA, a copy of which is attached. It is hereby requested that the Patent Office verify the calculation of the Patent Term Adjustment for the present application.

Respectfully submitted,

Date 11/3/08

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## Patent Term Adjustment Calculation System

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Docket Number: 054769-6702  
 Application Number: 10/716739  
 Patent Number: 7439026

	Event Description	Event Date	Days from Filing	PTO Days	Applicant Days
Edit Delete	Application Filing Date	11/18/2003	0		
Edit Delete	Non-Final Office Action	04/30/2004	164		
	Non-Final Office Action + 3 months	07/30/2004	255		
Edit Delete	Non-Final Office Action Rsp. Rcv'd at PTO	09/30/2004	317		62
Edit Delete	Restriction Requirement	12/10/2004	388		
Edit Delete	Restriction Requirement Response Received at PTO	01/10/2005	419		
Edit Delete	Non-Final Office Action	03/08/2005	476		
Edit Delete	Non-Final Office Action Rsp. Rcv'd at PTO	06/06/2005	566		
Edit Delete	Non-Final Office Action	08/23/2005	644		
	Non-Final Office Action + 3 months	11/23/2005	736		
Edit Delete	Non-Final Office Action Rsp. Rcv'd at PTO	02/23/2006	828		92
Edit Delete	Final Office Action	05/18/2006	912		
Edit Delete	Final Office Action Response Received at PTO	07/18/2006	973		
Edit Delete	Advisory Action	08/11/2006	997		
	Final Office Action + 3 months	08/18/2006	1,004		
Edit Delete	Notice of Appeal Received at PTO	08/22/2006	1,008		4
	3 Year Period Starts	11/18/2006	1,096		
Edit Delete	Appeal Brief Received at PTO (Insufficient)	12/26/2006	1,134		
Edit Delete	Notice of Non-Compliant Appeal Brief	02/14/2007	1,184		
	Notice of Non-Compliant Appeal Brief + 3 mo.	05/14/2007	1,273		
Edit Delete	Request For Continued Examination	07/30/2007	1,350		77
	3 Year Period Stopped	07/30/2007	1,350	254	
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	Non-Final Office Action + 3 months	12/04/2007	1,477		
Edit Delete	Non-Final Office Action Rsp. Rcv'd at PTO	02/01/2008	1,536		59
Edit Delete	Supplemental Reply under 1.704(c)(8) received at PTO	02/28/2008	1,563		27

	Non-Final Office Action Rsp. Rcv'd at PTO + 4 mo	06/01/2008	1,657	
Edit Delete	Notice of Allowance	06/18/2008	1,674	17
Edit Delete	Issue Fee Paid	09/17/2008	1,765	
Edit Delete	Patent Grant Date	10/21/2008	1,799	
		Totals:	271	321
		PTA:	0	